

**REMARKS/ARGUMENTS**

Favorable reconsideration and allowance of the present patent application are respectfully requested in view of the following remarks. Claims 1-25 are pending in the application.

**Rejections under 35 U.S.C. § 102**

The Examiner maintained the rejections of claims 1-5 and 7-25 under 35 U.S.C. §102(e) as allegedly being anticipated by Bamburak (U.S. Patent Pub. No. 2005/0113089). Applicant respectfully traverses this rejection.

Regarding claim 1, Applicant maintains that Bamburak fails to show, at least, “initiating, by the mobile station, acquisition/registration attempts ... wherein the initiating utilizes system identification and corresponding frequency information which are stored in the mobile station prior to the acquisition/registration,” as recited therein. (Emphasis added.)

In the rejection, the Examiner cites to paragraph [0026] for maintaining the rejection. Here, the Examiner interprets this paragraph as disclosing:

where information such as frequency spectrum and search schedules are stored in the memory (16) of the mobile device (10) for system acquisition in which a subscriber terminal ... that has a subscription or account with a communication service provider would have system related information stored (or programmed) in memory prior to acquisition and the information (e.g., provider list) in memory is able to be updated as evidenced by the fact that one of ordinary skill in the art would clearly recognize

(See Office Action, page 3, lines 12-20). Applicants respectfully submit the Examiner is misinterpreting this portion of the reference. Here, Bamburak merely describes a block diagram of the mobile hardware, wherein various components of a mobile communications device are described as to how they may be used for performing the processes of locating preferable

wireless providers. However, paragraph [0026] is not directed to the process itself. In paragraph [0027], Bamburak begins to describe this process:

[a]fter initially powering up, a mobile communication device locates a service provider and registers with the service provider. The service providers are located at a plurality of frequency bands across the radio spectrum. In order to find a service provider, the communication device searches the spectrum to find service providers. The communications device examines received service provider code e.g., SOC (Service Operation Code) or SID (System Identification Code) to determine whether the service provider is an optimal, preferred or prohibited service provider"

(paragraph [0027]; emphasis added). Here, during initialization, Bamburak discloses a mobile device which obtains the SID and/or SOC from the service providers, and obtains the frequency using a search. The SID and SOC values used in registration are not stored in memory prior to registration, but are read from control channels (para. [0007]). Moreover, because these control channels are not assigned to specific frequencies within a particular band upon initialization, and such pairings may further change with geography, the mobile communications device will search through the spectrum to find the control channel (para. [0008-0009]).

Accordingly, because of the nature of the systems presented in Bamburak, having system related information stored ... in memory prior to acquisition/registration is not obvious, as asserted by the Examiner, because the association between the SID/SOC and their frequency is not initially known *a priori*.

In another portion of the registration process which occurs after initialization, Bamburak discloses that the SID or SOC of the last service provider and a list of optimal service providers are stored in memory. Here, if the last service provider was optimal, the system attempts to lock onto the control signal of the service provider (step 34). If the lock is successful, it is determined whether the control channel contains the SOC or SID of an optimal service provider (step 36).

This is determined by comparing the SOC or SID from the control signal with the list of optimal service provider SOC's or SID's. If the optimal service provider has been located, the mobile device then registers with the service provider (step 38). (See para. [0028], Fig. 4.)

Accordingly, Bamburak does not rely upon the SID or SOC of the last service provider to register the mobile device. Under the best of circumstances (the last provider's SOC/SID stored is optimal and the acquisition of the channel (lock) is successful), Bamburak still relies on the SOC/SID obtained from the control channel to **register** the mobile with the service provider. With the system described in Bamburak, the mobile cannot rely on the stored SOC/SID as corresponding to a preferred provider in order to register, because, as described in [0008], the same SID/SOC may be associated with the different frequencies in different geographic locations. After the mobile terminal locks (acquires) the control channel, it cannot rely on the stored SOC/SID as being the preferred provider, so it must rely on the SOC/SID read from the control channel to register.

Accordingly, paragraph [0028] of Bamburak fails to disclose, at least, "wherein the initiating utilizes system identification and corresponding frequency information which are stored in the mobile station prior to the acquisition/registration," as recited in claim 1.

Applicant therefore respectfully requests that the Examiner withdraw the rejection of claim 1.

Regarding independent claim 15, Bamburak fails to disclose, at least, "retrieving frequency, system identification, and mode information, stored in the mobile station prior to the selecting, for each of the plurality of wireless communications systems," as recited therein.

As described above, Bamburak discloses that in order to find a service provider, the communication device searches the spectrum to find service providers. The communications

device examines the received SOC or SID to determine whether the service provider is an optimal, preferred or prohibited service provider. In order to obtain the SOC/SID values, the mobile device must first select the wireless system to obtain its information, and then store the information for subsequent acquisitions. However, Bamburak cannot retrieve system identification and frequency information which was stored prior to selection of the provider. This is because Bamburak must select the provider to first obtain the stored information.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claim 15.

Independent claim 25 recites related subject matter to claim 1, and is therefore allowable at least for reasons similar to those given above.

Further, the dependent claims are allowable at least by virtue of their dependency on the above-identified independent claims. See MPEP § 2143.01. Moreover, these claims recite additional subject matter, which is not suggested by the documents taken either alone or in combination.

### **Rejections under 35 U.S.C. § 103**

Claim 6 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Bamburak in view of Lynch (U.S. Patent No. 5,586,338). Applicants respectfully disagree.

Regarding claim 6, Applicants submit Bamburak fails to teach or suggest all of the features included therein by virtue of its dependency from allowable claim 1.

Moreover, Applicants submit Lynch fails to cure the deficiencies of Bamburak. Lynch merely teaches subscriber units which are programmed to scan all radio frequencies in all of the available frequency bands in the radio telephone communication system to record at least one

System Identification Number (SID) for each of the radio frequency bands (col. 3, line 64 – col. 4, line 2).

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claim 6.

### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, at the telephone number listed below.

*Deposit Account Authorization*

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated February 28, 2008  
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